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## WOMEN IN LAW SCHOOL TEACHING: PROBLEMS AND PROGRESS

D. KELLY WEISBERG \*

The increase in the number of women entering law school in the past eight years has been dramatic. In 1970, 7.8% of the students entering law schools were women.<sup>1</sup> By 1972 the figure had more than doubled to 16%,<sup>2</sup> and by the 1976-77 academic year the figure had almost quadrupled to reveal a total of 28.4%.<sup>3</sup> Although the impact of these women law students of the seventies may take time to be reflected fully in the legal profession, one might well expect women's greater representation to be accompanied by correlative increases in the number of women in legal specializations. This study was undertaken to explore the recent progress and problems of women in the field of law school teaching.

The subject of the increased representation of women in the legal profession has received considerable attention of late.<sup>4</sup> Early in the 1970's a special interest in the status of women in the profession was reflected both by the American Bar Association and the Association of American Law Schools. The AALS adopted its "Equality of Opportunity" provisions. And, in 1972, the ABA adopted a resolution at its annual meeting to encourage more women to enter and realize their full potential within the legal profession. Among the other resolutions adopted was the following: "That all law schools should . . . make substantial efforts to recruit, hire and promote women professors."<sup>5</sup>

Shortly thereafter, the ABA began to collect and include data in its annual Review of Legal Education<sup>6</sup> on the number of women on law school faculties. An analysis of the 1976 ABA statistics and a comparison of these statistics with earlier AALS data yields an ironic discovery: since the 1972 resolution, little progress appears to have been made in terms of the overall representa-

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<sup>1</sup> Bysiewicz, *Women in Legal Education*, 25 J. Legal Ed. 503 (1973).

<sup>2</sup> *Id.*

<sup>3</sup> American Bar Association, *Law Schools and Bar Admission Requirements: A Review of Legal Education in the United States—Fall 1976*, at 47. The percentage was computed from the statistics of 9,347/33,149.

<sup>4</sup> Some of the recent comprehensive articles include: Barnes, *Women and Entrance to the Legal Profession*, 23 J. Legal Ed. 289 (1971); Bysiewicz, *supra* note 1; Ginsburg, *Treatment of Women by the Law: Awakening Consciousness in the Law Schools*, 5 Val.U.L.R. 480 (1971); White, *Women in the Law*, 65 Mich.L.Rev. 1093 (1967).

<sup>5</sup> Cited by Bysiewicz, *supra* note 1, at 503.

<sup>6</sup> American Bar Association, *Law Schools and Bar Admission Requirements: A Review of Legal Education in the United States—Fall 1972*.

tion (full-time and part-time) of women on law school faculties. More specifically, according to statistics gathered in a study by the Committee on Women in Legal Education of the AALS, in 1970 women comprised 4% of all law school faculty members whereas in 1972 they comprised 8%.<sup>7</sup> However, since 1972, the situation has not changed significantly. According to ABA statistics for 1974, only 7.3% of all faculty members were women (359/4861);<sup>8</sup> whereas for 1975, only 7.9% of all faculty members were women (428/5361).<sup>9</sup> Moreover, in these two academic years, 1974-75 and 1975-76, while the number of women on full-time faculties increased, the number of women employed *part-time* actually decreased from 7.6% to 6.1%.<sup>10</sup> This decrease in women part-time faculty occurred despite an 8% *overall* increase in part-time appointments in this two-year period.

While the ABA Reviews provide an important check on the annual status of women law professors, their unanalyzed statistics raise more questions than they answer. For example, it is readily apparent from the 1975-76 Review that women comprised 319 of 3584 full-time teachers and 109 of 1777 part-time teachers, or 428 of a total of 5,361 full-time and part-time faculty (or 7.9%) in that year. However, several important and unanswered questions come to mind: (1) What is the distribution of the women faculty among the ABA accredited schools (how representative are the figures and representative of what types of law schools?) (2) How are women distributed among the various academic ranks of full professors, associate professors, assistant professors, lecturers and instructors? (3) How many women hold other academic positions such as visiting professors or emeritus professors? (5) How many women occupy the position of deans or associate or assistant deans of law school faculties?<sup>11</sup>

<sup>7</sup> Bysiewicz, *supra* note 1, at 507. It must be noted that the ABA and AALS studies are not based on the same numerical sample—the AALS data were collected before the ABA began data collection on women professors. However, the statistics provide some basis for comparison as both studies examined the percent of women members on accredited law faculties for each year and both surveyed a large number of law schools. The 1974 and 1975 ABA statistics may be more accurate than the AALS earlier figures because the former sample included all accredited law schools whereas the AALS sample included only about 75% of accredited law schools.

<sup>8</sup> Based on statistics in the American Bar Association, Law Schools and Bar Admission Requirements: A Review of Legal Education in the United States—Fall 1974, at 37 and Fall 1975, at 43. The sum of women full-time and part-time faculty in 1974 equals 359; the sum of all faculty equals 4861. 7.3% is the percent 359 is of 4861.

<sup>9</sup> Based on statistics in ABA, Review of Legal Education 1975, *supra* note 8, at 43. The sum of women full-time and part-time in 1975 equals 428, the sum of all faculty equals 5361. 7.9% is the percent 428 is of 5361.

<sup>10</sup> Based on statistics in ABA, Review of Legal Education 1974, at 37 [1643(125)], and ABA, Review of Legal Education 1975, *supra* note 8, at 43 [1777(109)].

<sup>11</sup> The ABA Section of Legal Education began including information on the number of women deans in the 1976 Review, although the data there is not broken down by rank. A comprehensive study of law school deans (based on a smaller sample) was undertaken while this study was in progress. See Abramson and Moss, Law School Deans: A Self-Portrait, 29 J. Legal Ed. 6 (1977). The finding of Abramson and Moss on the percent of women *full* deans is consistent with this study. However, they did not examine separately the categories of women associate and assistant deans as did this survey. Moreover, their suggestion of women's inadequate representation among full deans appears to be based incorrectly on an attempt to

In an attempt to answer these questions the author conducted a survey in the 1976-77 academic year and a follow-up survey in the winter of 1978. The surveys furnished data which were unavailable in the ABA Reviews—specifically, a breakdown of women by academic rank among both full-time and part-time faculties, in addition to the percentage and distribution of women among visiting and emeritus professors, law librarians and deans. Methodology for this study consisted of soliciting law school catalogues from the 164 ABA accredited law schools for the 1975-76 and 1976-77 academic years. Data were forthcoming from, and analyzed for, 153 of these schools (94% of the total). Although minor school-by-school differences from the ABA results did occur, the overall percentages were remarkably similar (for example, the 1975-76 catalogue data varied only by .4 of one percent from the ABA statistics for full-time faculty). In-depth interviews were also conducted in 1977-78 with a small sample of women law professors.

The descriptive catalogue data were analyzed in terms of sex, academic rank, part-time and full-time status. Follow-up inquiries were sent to women law professors at schools where the data were ambiguous (such as in instances where a name could denote masculine or feminine identity). For those law schools which did not supply catalogues (approximately 30 schools), questionnaires were sent to their deans (see Appendix 1 and 2). Questionnaires were also sent to an additional 10% of the law schools (for which catalogue data were available) to serve as a check on validity—to compare the two methods of data collection to ensure there were no systematic differences in the two approaches. In addition, an analysis was made of the statistics in the 1974-75, 1975-76, and 1976-77 annual ABA Reviews. Statistics on women faculty were converted into percentages, and the distribution of women on the various law school faculties was plotted.

### *Representative Nature*

The representative nature of the overall averages may be examined by reference to an analysis of the data in the 1975-76 ABA Review. According to that data women comprised 7.9% of *all* faculty members (full and part-time)—8.9% of full-time faculty and 6.1% of part-time faculty.<sup>12</sup> The question may well be asked, do these figures signify that *most* law schools employ women according to these percentages? Such a conclusion would be in error. In fact, a small number of law schools have a dominant effect on the overall percentages. That is, fifteen law schools \* whose faculties are composed of over 15% women each (Appendix 3) tend to boost the 1975-76 national average. For example, law schools such as Antioch where women comprise 26% of the full-time faculty, or the University of California at Davis where they comprise 25%, or North Carolina Central University where they comprise 44%, have a marked effect on the overall average. The average per-

correlate the percent of women full deans with the percent of women full-time professors, instead of with the percent of women *full professors*. See text *infra* on women deans.

<sup>12</sup> ABA, Review of Legal Education 1975, *supra* note 8, at 43.

\* Antioch, Capital, Cleveland-Marshall, McGeorge, Mercer, N.Y.U., North Carolina Central, Northeastern, Nova, Rutgers-Camden, Rutgers-Newark, Southern Illinois, Suffolk, University of California at Davis, University of Hawaii.

centage of women on the full-time faculties of these fifteen law schools equals 18%. The effect of this high percentage is to raise the overall figure.

Those law schools which have a higher than average number of women on their faculties include primarily progressive institutions, newly accredited law schools and some schools which may be labelled as "non-prestigious" law schools. These institutions tend to employ women professors for different reasons. Some schools may actively recruit women faculty, such as New York University whose former Dean Robert McKay was especially responsive to the problems of discrimination both in the admission of women students and in hiring of women faculty.<sup>13</sup> However, other law schools may hire women because women professors are more willing than men to teach at newly accredited or non-prestigious institutions.

On the other hand, the nation's largest law schools, including many of the most prestigious schools, also have a significant effect on the overall average. These schools tend to lower the average. That is, in 1975-76, twelve large law schools\*\* tended to have fewer women on their faculties than the national average (Appendix 4). These large law schools have an average of 4.8% women on their full-time faculties—which tends to bring down the overall percentage of women law professors.

The "top ten" law schools are especially conspicuous in regard to the low percentages of women employed on their faculties. Examining the faculties of the "top ten" law schools,<sup>14</sup> it becomes apparent that all of these law schools, with the exclusion of N.Y.U. because of its zealotry in recruiting women faculty,<sup>15</sup> reflect a consistent pattern of employing fewer women faculty than the national average.

<sup>13</sup> Sassower, *Women in the Law: The Second Hundred Years*, 57 A.B.A.J. 329, 332 (1971).

\*\* Boston University, Columbia, Georgetown, Harvard, Hastings, Stanford, University of California at Berkeley, University of Florida, University of Michigan, University of Texas, University of Virginia, Yale University.

<sup>14</sup> The ranking was based on a study noted in Staff Report, *The Popular Vote: Rankings of the Top Schools*, 6 Juris Doctor 17 (December 1976).

<sup>15</sup> As noted by Sassower, *supra* note 13.

TABLE 1

## WOMEN PROFESSORS IN THE TOP TEN LAW SCHOOLS \*

<u>School</u>	<u>Year</u>	<u>Full-time Faculty</u>	<u>Number of Women</u>	<u>Percent of Total</u>
1. Harvard	1974.....	50.....	1.....	2%
	1975.....	58.....	3.....	5.2%
	1976.....	53.....	3.....	5.7%
2. Yale	1974.....	60.....	3.....	5%
	1975.....	34.....	2.....	5.9%
	1976.....	34.....	2.....	5.9%
3. Chicago	1974.....	24.....	0.....	0%
	1975.....	29.....	1.....	3.4%
	1976.....	26.....	0.....	0%
4. Columbia	1974.....	43.....	1.....	2.3%
	1975.....	39.....	2.....	5.1%
	1976.....	40.....	2.....	5%
5. Stanford	1974.....	27.....	1.....	3.7%
	1975.....	31.....	1.....	3.2%
	1976.....	26.....	2.....	7%
6. Michigan	1974.....	42.....	0.....	0%
	1975.....	41.....	0.....	0%
	1976.....	47.....	3.....	6.4%
7. Berkeley	1974.....	40.....	1.....	2.5%
	1975.....	40.....	2.....	5%
	1976.....	41.....	3.....	7%
8. Penn	1974.....	28.....	2.....	7.1%
	1975.....	30.....	1.....	3.3%
	1976.....	25.....	1.....	4%
9. NYU	1974.....	64.....	9.....	14.0%
	1975.....	58.....	9.....	15.5%
	1976.....	55.....	7.....	12.7%
10. Virginia	1974.....	50.....	2.....	4%
	1975.....	39.....	2.....	5.1%
	1976.....	43.....	1.....	2.3%

\* Based on an analysis of ABA statistics from the 1974, 1975, and 1976 Reviews of Legal Education.

As shown in Table 1, in each of three previous academic years (1974, 1975 and 1976) almost every one of these ten law schools employed fewer women on their full-time faculties than the national average. According to percentages computed from ABA Review data, the national averages for women on full-time law faculties for these three years were 6.7%, 8.9% and 9.0% respectively. Excluding NYU law school, it can be seen that in only one year (1974) and in only one school (Penn) was the percentage slightly higher than the national average and even this law school failed to maintain this percentage in subsequent years. In view of the fact that many of these schools are simultaneously included among the nation's largest law schools, women appear to be significantly underrepresented in an important fraction of the nation's law school faculties.

It must be emphasized that the national averages are misleading in one sense. They fail to reveal an important fact: a considerable number of law schools have *no* women on their full-time or part-time faculties. Of the total 164 ABA accredited law schools in the 1975-76 Review, 18% of

the schools have no women employed on their full-time faculties and 54% have no women employed on their part-time faculties for that academic year.<sup>16</sup>

Moreover, it is apparent that the majority of the accredited law schools which do employ women on their full-time or part-time faculties employ *only one woman*. The following table reveals the relevant data.

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TABLE 2  
WOMEN PROFESSORS BY LAW SCHOOLS \*

<u>Full-Time</u>	<u>Number</u>
Law Schools with no women full-time .....	29
Law Schools with one woman full-time .....	51
Law Schools with two women full-time .....	43
Law Schools with three women full-time .....	22
Law Schools with four women full-time .....	11
Law Schools with five or more women .....	7
Law Schools with no data .....	<u>1</u>
Total .....	164

<u>Part-Time</u>	
Law Schools with no women part-time .....	83
Law Schools with one woman part-time .....	45
Law Schools with two women part-time .....	19
Law Schools with three women part-time .....	6
Law Schools with more than three women .....	<u>1</u>
Total .....	154 **

\* Based on an analysis of ABA Review statistics for the 1975-76 academic year.

\*\* Only 154 of the accredited law schools have part-time faculties.

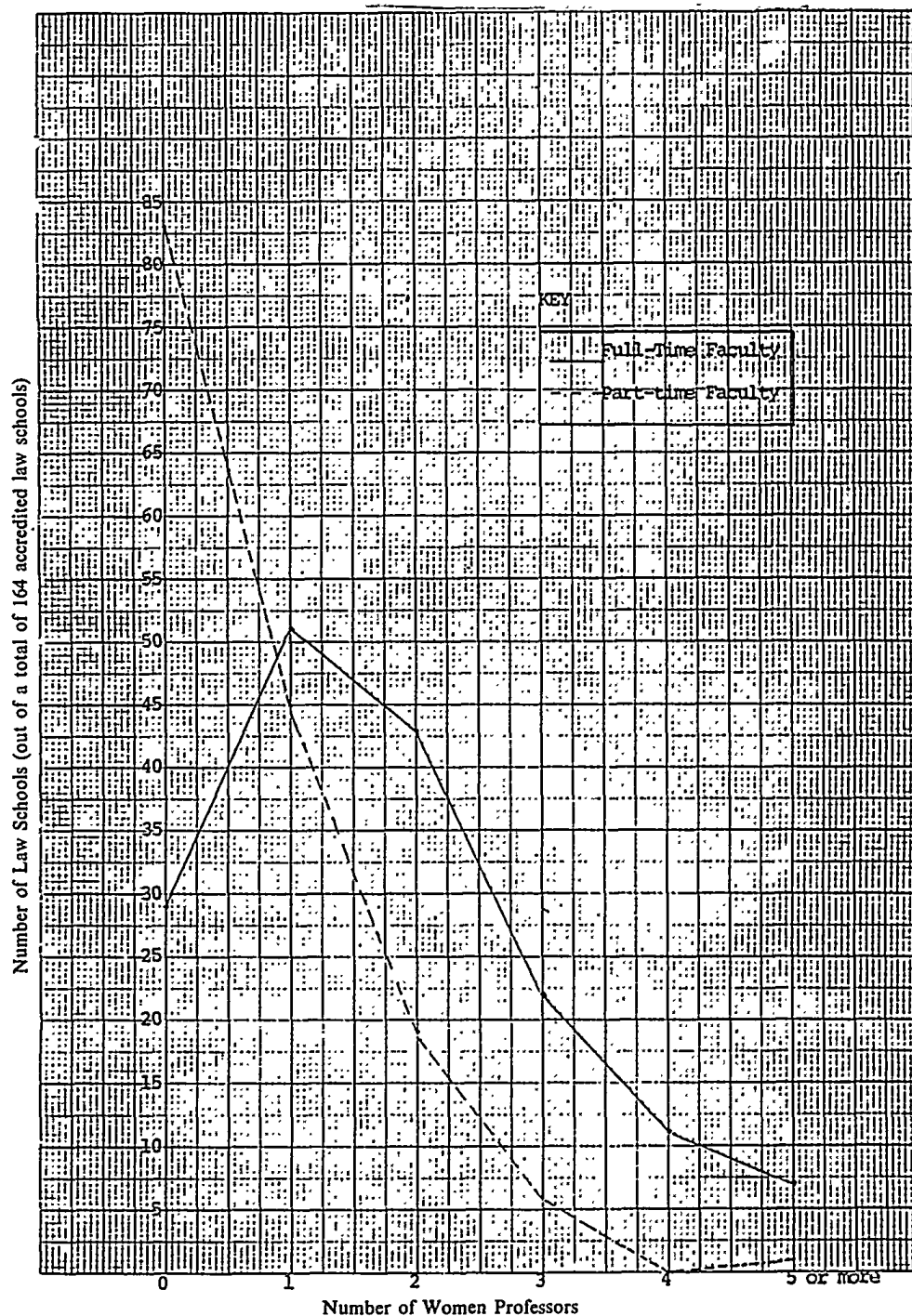
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<sup>16</sup> Based on statistics in ABA, Review of Legal Education 1975, *supra* note 8. 54% equals the percentage of the part-time faculty of 154 law schools. Only 154 of the 164 accredited law schools employed part-time faculty in 1975.



The distribution of the number of women professors by law schools is plotted on Table 3.

TABLE 3  
DISTRIBUTION OF WOMEN PROFESSORS  
AMONG LAW SCHOOLS 1975-76 \*\*



\*\* (Based on an analysis of statistics in the 1975 *Review of Legal Education*)

Ignoring for a moment the law schools with no women on their full-time or part-time faculties, it may be seen that of the remaining law schools, the category into which most law schools fall is the category "with one woman full-time" and "with one woman part-time." Such data regrettably leaves the profession open to charges of tokenism. This phenomenon of tokenism is commonly faced by women in management and in the professions<sup>17</sup> and is increasingly encountered by women entering formerly all-male fields.

Thus, the overall percentages do not tend to be representative of a majority of law schools. Rather, the percentages tend to be weighted by two sectors: those few schools with exceptionally high percentages of women on their faculties and the nation's largest and most prestigious law school faculties with a lower-than-average percentage of women professors. While it may be said that in 1975-76, women comprised 7.9% of all law school faculties, such a conclusion is deceptive. In reality, 49% of the accredited law schools employed zero or at most one woman on their full-time faculties, while 83% of the law schools with part-time faculties employed zero or at most one woman.

More current ABA statistics on women in law school faculties do not reveal a more optimistic picture. The number of women who are full-time teachers in law schools has remained the same in 1976-77—the most recent academic year for which ABA data are available at the time of this writing. In 1975-76 women comprised 8.9% of full-time law teachers, whereas in 1976-77 they comprised 9.0% of full-time professors—an insignificant increase. The statistics on part-time teachers at first glance seems more encouraging. From a 1975-76 low of 6.1%, the number of women professors employed on part-time faculties rose to 10.9% in 1976-77. However, upon closer examination, the increase does not signify that any radical change occurred in the *distribution* of women in the nation's law schools. More specifically, in 1975-76, 53% of ABA-accredited law schools employed *no* women part-time. The number of schools with *no* part-time women faculty did not decrease in the next academic year—rather it remained fairly constant at 51%. The overall increase in part-time faculty may be accounted for primarily by the increase in the law schools in the category "with one woman" on their part-time faculties.

Moreover, current data on the fifteen schools in Appendix 3 which included a large representation of women on their faculties in 1975-76 (i. e. women comprising over 15% of their faculties), reveals that many of these schools did not evidence the same characteristic in the 1976-77 academic year. Over one-third of the schools showed a sharp decrease in the number of women employed in that year. That is, in 1976-77 of the fifteen schools, six schools fell below the 15% representation mark and one school even fell into the zero category. This suggests that many schools are not replacing women faculty with other women.

It is encouraging that other law schools crept into the over-15% category in 1976-77 and it can only be hoped that these schools will remain in this category in subsequent years. Nonetheless, the conclusion still remains valid that those few schools manifesting a higher-than-average percentage of women on their faculties tend to boost the overall figures for women in the teaching pro-

<sup>17</sup> Kanter, *The Problems of Tokenism*, Center for Research on Women in Higher Education and the Professions, Wellesley College, Wellesley, Mass., 1976.

fession and refutes the notion that the majority of law schools reflect the national average.

### *Women Professors by Academic Rank*

The next question which may be asked is, where in the academic hierarchy are women law professors? How many women are full professors, associate professors, assistant professors, lecturers and instructors? With reference to the table below, it may be seen that among full-time faculty members for the 1975-76 academic year, women full professors comprise 3.8% of the total full professors. Women associate professors comprise 10.6% of total associate professors, and women assistant professors comprise 19.4% of all assistant professors.

TABLE 4

### WOMEN PROFESSORS BY RANK AMONG FULL-TIME LAW FACULTIES \*

<u>Rank</u>	<u>Number of Women</u>	<u>Total in Category</u>	<u>Percent of Whole</u>
Full Professor	85	2211	3.8%
Associate Professor	90	849	10.6%
Assistant Professor	135	694	19.4%

\* Data drawn from catalogue survey of 150 of the 153 law schools surveyed for the 1975-76 academic year. Three law schools did not provide a breakdown of their faculty by rank.

The above table indicates that women do not tend to be evenly distributed among the different academic ranks. Rather, women tend to be found most often at the lowest rank of assistant professor. In fact, almost 44% of *all* women on the law faculties in the sample were found at this assistant professor level. This finding may signify that law schools have been hiring increasing numbers of women in the recent past—women who begin to climb the academic ladder at the lowest rank. Alternatively, it may suggest that women are held back from promotion and remain at the lowest academic rank.

A different method of calculation must be utilized in determining the number of women lecturers and instructors. The position of lecturer and/or instructor may be either full-time or part-time positions. Catalogue data did not sufficiently differentiate between the two categories and hence, the positions had to be lumped together. Of a total of 150 law school faculties, it was found that women constituted 10% (114 of 1102) of the total full-time and part-time lecturers and instructors.

### *Women Visiting and Emeritus Professors*

Women also hold other academic positions on law school faculties. Such positions most frequently include those of visiting professor and emeritus

professor. As shown by the table below, women constitute 4% of all emeritus professors. They comprise 7% of all visiting professors.

TABLE 5

## WOMEN PROFESSORS IN OTHER ACADEMIC POSITIONS \*

<u>Position</u>	<u>Number of Women</u>	<u>Total (Men &amp; Women)</u>	<u>% Women of Total</u>
Emeriti (active and re- tired)	11	245	4%
Visiting Professor	20	281	7%

\* Data drawn from catalogue survey of 153 law schools. 90 schools had emeritus professors, 88 schools had visiting professors.

The 4% figure for emeritus professors appears to be consistent with the fact of women's lower representation in the legal profession in earlier decades. According to United States Department of Labor statistics, women lawyers comprised 3.5% of the legal profession in 1950.<sup>18</sup> Thus, the percentage of women emeritus professors reflects women's representation in the profession several decades ago.

The table also reveals the percentage of women who are visiting professors. The 7% figure appears to be consistent with women's overall (full-time and part-time) representation on law school faculties (7.9%) in 1975-76. However, in view of the fact that many visiting professors have full-time status, the figure is somewhat lower than the percentage of women employed on full-time faculties (8.9%) for that year.

*Women Professors as Law Librarians*

Women are also found on law school faculties as law librarians. An interesting finding was that many of these women also hold academic rank. Of a total of 145 law schools for which data on librarians was furnished (from both catalogue and questionnaire sources), it was found that almost 30% of law librarians were women (42/145). Although the figure is considerably higher than the percentage of women on the overall teaching faculty, such a figure is not surprising in view of the fact that women tend to predominate in the field of library science in general.

A remarkable finding was the number of women who "double." That is, many law librarians are not only directors of the libraries of their law schools, but also are members of the teaching staff. Of the total 42 women law librarians, 25 were also members of the faculty. The women held all levels of academic positions—full professor, associate, assistant and instructor.

<sup>18</sup> As cited by Epstein, *Encountering the Male Establishment: Sex-Status Limits on Women's Careers in the Professions*, in A. Theodore, *The Professional Woman* (1971).

TABLE 6

## LAW LIBRARIANS WITH TEACHING RANK\*

<u>Rank</u>	<u>Number of Women</u>
Full Professor . . . . .	12
Associate Professor . . . . .	9
Assistant Professor . . . . .	3
Instructor . . . . .	<u>1</u>
Total . . . . .	25

\* Data drawn from catalogue survey and questionnaire data, based on a total of 145 law schools for the 1975-76 academic year.

From the above table it can be seen that almost 60% of women law librarians, or 25 of the 42, are also members of the teaching faculty.

An intriguing finding is the high percentage of women *full* professors who have this dual identity. By cross-tabulating the above figures with Table 5 on Women Full Professors, it appears that  $\frac{12}{85}$  women full professors are also law librarians. That is, 14% of women full professors are also law librarians. A similar finding is true of women associate professors. Nine out of 90 women associate professors are also law librarians, or 10% of all women associate professors are law librarians.

It has been noted that women lawyers gravitate toward law librarianship because this is an area of the profession where discrimination is less pronounced.<sup>19</sup> The high percentage of women law librarians among the academic ranks seems to indicate that women's dual occupational qualifications may have facilitated their entry into the field of law school teaching.

#### *Women Deans*

Women are also found on the faculties of law schools as deans, associate deans and assistant deans. Many of these deanship positions are part-time teaching and administrative positions while others are purely administrative. As shown in the table below, of a total of 425 deans, 46 were women, or women deans comprised 10.8% of all categories of deans. Only five women in the 1975-76 academic year held the position of full dean of a law school.\* That is, 3% of all *full* deans of law schools were women. However, women full deans only comprised 1% of the total of *all* categories of deans. Six women were associate deans, comprising 4% of the total of associate deans. However, comparing the percentage of women associate deans to *all* categories of deans, women associate deans comprised only 1% again of the total.

The number of women holding the rank of assistant dean occupies by far the largest percentage. Thirty-five women held this position. That is, 25% of all assistant deans were women (although women assistant deans comprised 8% of the total 425 deans).

<sup>19</sup> Dinerman, *Sex Discrimination in the Legal Profession*, 55 A.B.A.J. 951, 952 (1969).

\* The five women deans included: Jean Camper Cahn of Antioch, Judith Grant McKelvey of Golden Gate, Judith T. Younger of Syracuse, Soia Mentschikoff of the University of Miami and Dorothy Nelson of the University of Southern California.

TABLE 7  
WOMEN DEANS \*

<u>Position</u>	<u>Women</u>	<u>Total in Group</u>	<u>% of total w/i group</u>	<u>% of all deans</u>
Dean of the Law School	5	151	5/151 = 3%	5/425 = 1%
Associate Dean	6	136	6/136 = 4%	6/425 = 1%
Assistant Dean	35	138	35/138 = 25%	35/425 = 8%

\* Data drawn from catalogue survey and questionnaire data, based on a total of 153 law schools for the 1975-76 academic year.

From the above data, it appears that few women reach the rank of dean of a law school, or even associate dean of a law school. However, it must be realized that deans of law schools are generally drawn from the ranks of full professors. Given the fact that women comprise 3.8% of all full professors (Table 4 above), it may follow that women have not specifically been excluded from full deanship positions. That is, the percentage of women full deans appears to reflect the percentage of women full professors (3% as compared to 3.8%). One might only expect to find more women deans as more women reach the rank of full professor of a law school.

### *The Problems of Women Law Professors*

#### 1. Hiring and Promotion

The difficulties facing women law professors are manifold. Women law professors encounter obstacles in being hired at law schools in general, but especially in being hired by the nation's largest and most prestigious schools. As revealed by the above data, these law schools tend to employ fewer women on their full-time faculties than the national average. Women also face difficulties in being promoted to the top ranks of the academic ladder to become full professors or associate professors. They tend to cluster at the lower academic levels, a finding also noted by Bysiewicz in an earlier study.<sup>20</sup>

In addition to the factor of overt discrimination which may hold women back, women encounter another problem in advancement. Often women law professors manage two careers at the same time. Not only are many of these women full-time professors, but also many are "employed" simultaneously as wives and mothers. For this reason, meeting criteria for tenure, such as publishing, may be more difficult for women. "I think it's really an impossible burden to put on women, especially married women with young children," said one woman law professor in the interview sample.<sup>21</sup> Some full-time women professors voiced a preference to work part-time when their children

<sup>20</sup> Bysiewicz, *supra* note 1.

<sup>21</sup> But cf. Ferber and Loeb, Performance, Rewards, and Perceptions of Sex Discrimination among Male and Female Faculty, in A. Theodore, *supra* note 18. Ferber and Loeb have found that married women faculty are about as productive as men. However, the finding of this study of women law professors is specifically limited to women professors with very young children *under school-age*. Ferber and Loeb did not examine this particular variable. No predictions are made here as to whether this difficulty will continue for women professors as their children grow older.

were very young because of family responsibilities. However, these women may then face the dilemma that their part-time teaching is not credited toward meeting tenure criteria which usually require full-time teaching. One suggestion is that law schools might permit such women to take longer than the usual period to fulfill tenure requirements.<sup>22</sup>

Moreover, women full professors face another problem which is a "mixed blessing." Instead of law schools recruiting noted practicing attorneys to augment their ranks of full professors, law schools tend merely to compete for the few women full professors who exist. As William reports, "Like black academics several years ago, the top female law professors are being passionately recruited."<sup>23</sup> Thus, law schools tend to "exchange" or to "raid" other law schools rather than to increase substantially the numbers of women faculty.

## 2. Criteria Not as Applicable

Another dilemma of the woman law professor is that the objective standards utilized to hire male faculty members may not be as applicable to women because of two factors: 1) women's decreased mobility and 2) past decades of discrimination. Whereas men generally attend the best law school possible and accept the best employment positions they are offered, women tend to make career choices on a different basis. For example, women often attend law schools for reasons of proximity to a spouse's or boy friend's educational setting or employment rather than for reasons of prestige or academic excellence. As one woman professor explained:

Women don't fit into the same criteria as men. For example, they don't go to the best law schools they can, which is what men would do. Women go to certain law schools for reasons such as because their husband works in that city or is going to school in that city or because they have children and don't want to move the family, or because they just bought a house in that city.

This factor of women's decreased mobility also limits other opportunities for women. That is, women may choose summer employment during school years on the basis of geographical constraints, they may not apply for prestigious clerkships upon graduation for the same reason, and they may tend to be interested in only those teaching positions or job opportunities which are close to home.

<sup>22</sup> Such a suggestion was recently proposed at Hastings College of the Law. Although tenure was usually granted after 5 years of full-time teaching on this faculty, an "extraordinary circumstances" exception to the general rule existed, which stated: "Except in extraordinary circumstances, nontenured faculty members shall have completed 5 years or more of full-time teaching at an accredited law school to be eligible for tenure . . . . Under normal circumstances the final evaluation process leading to granting of tenure should be completed during the teacher's fifth year of full-time teaching . . . ." Hastings College of the Law, Procedures and Standards for Appointment, Rank and Tenure, Section II(C)(3)(II)(b). However, to take into account the problems of women professors, the following change was proposed: ". . . it is contemplated that a member of the tenure-potential faculty who had been teaching for 6 years but some of these were only half-time could be eligible for promotion and tenure consideration under the extraordinary circumstances exception in Section II(C)(3)(II)(b) (emphasis added).

<sup>23</sup> Williams, Law Schools: The Big Woman Boom, Saturday Review World, September 21, 1974, at 54.

Regrettably, this peculiarity of women's situation often escapes the attention of hiring committees. Members of one law school's hiring committee evidenced this short-sightedness when refusing to consider a woman who was among the top students in her class at a New York law school. Their rationale was that she could not be an excellent candidate if she had attended this "second rate" institution. However, their refusal to consider her prevented them from discovering that the woman previously had been accepted by one of the nation's prestigious law schools but had refused to attend because her husband was a graduate student in New York. Similarly, faculty members at one law school when considering a woman for a visiting professor position rejected the candidate because she was teaching at a "second rate" southern law school. They evidenced their belief that the woman could not be outstanding if she were teaching at that particular institution (even though this woman *had* graduated from one of the prestigious law schools). They failed to consider the reason for the woman's location in that state: her husband had an important legal position there.

Moreover, some of the qualifications required in applicants are not as realistic to require of women because of past decades of discrimination. One such qualification is clerkship for a federal court, especially at the appellate level. As Barbara Babcock, formerly of Stanford's faculty noted:

That won't work with women. Until a year or two ago, they were heavily discriminated against as clerks. There are plenty of judges who simply won't take women . . . .<sup>24</sup>

Many women in the interview sample described examples of discriminatory attitudes on the part of judges when the women or their female classmates sought clerkships in recent years. One woman noted one judge's response upon meeting her for an interview, "My God, it's a woman!" Another told of a judge who notified her that he had already chosen his clerks, while notifying a male classmate the same day that the final decision had not yet been reached. Some judges limit the number of women clerks, refusing to hire any more than one woman if they are hiring several clerks. Many of the reasons women related which are proffered by judges for refusing to hire women clerks are quite humorous. One woman recounted a story of a judge saying to her that his secretary would leave him if he hired a woman clerk. Another judge maintained that it would create a problem if he hired a woman because, "Sometimes we have to move the F.2d's around and we need a man to do that."

Another qualification law school faculties seek in teaching candidates is law review experience as an indicator of legal scholarship. To date no studies have been done revealing any data on women's participation on law reviews (or, for that matter, on the problem of the discrimination facing women in terms of clerkships discussed *supra*). Nonetheless, it is generally conceded that the position of Editor-in-Chief of a law review not only is one of the most coveted honors in a law student's career, but is also a qualification which law school hiring committees value highly in potential candidates. Yet, an examination of the editorial staff of 230 volumes of the law reviews of four prestigious law schools over several decades reveals that only a handful of women have held these key positions.

<sup>24</sup> *Id.*

<sup>30</sup> Journal of Legal Ed. Nos. 1 and 2—16



For example, of 48 Editors-in-Chief of *Columbia Law Review* since Columbia first admitted women in 1929, only two have been women.<sup>25</sup> Neither woman, however, held the position within the past two decades. Of 28 Editors-in-Chief (or "Presidents" of the editorial board) of *Harvard Law Review* since Harvard first admitted women in 1950, only one has been a woman (in 1976).<sup>26</sup> Of 87 Editors-in-Chief of the *Yale Law Journal* only one has been a woman—in 1943.<sup>27</sup> And, of 69 Editors-in-Chief of the *California Law Review*, only one woman can be found—in 1916.<sup>28</sup> Thus, in the past decade, only one woman at these schools has held this position (in 1976) despite the fact of the recent dramatic increase in the number of women students in the nation's law schools.

Considering that there were 42 Editors of these reviews during the past decade and since women have constituted about 15% of the total law school population during the same period, one would have expected on the average 6.3 women editors. If one expects 6.3 women to be included in this sample, the probability of having less than two women Editors is .009. This seems to indicate that entering women law students intrinsically have a lower chance of becoming law review editors than their male counterparts.

The aforementioned schools, especially Harvard, Yale and Columbia, furnish a significant amount of the talent for law school faculties in the nation. A cross-tabulation of the names of the Editors-in-Chief of these schools' law reviews with the AALS' *Directory of Law Teachers*<sup>29</sup> reveals that in the past three decades, six of the Editors-in-Chief at Columbia, eight of the Editors at Yale and nine of the Editors at Harvard have become professors on the faculties of American law schools.<sup>30</sup> The chances of being an Editor of a law review appear to be strongly correlated with the chances of ultimately becoming a law school faculty member, at least in a subset of prestigious law schools, and it seems reasonable to assume that editors of law reviews in general, have an enhanced chance of acquiring a law school teaching position. Thus, since women appear to have rarely attained this honor, for whatever reasons discriminatory or not, women may systematically lack one of the important prerequisites for a teaching career. Since many law schools choose their faculty primarily from these prestigious schools, law school hiring committees not only may be seeking to recruit women from a "null set" but also are simultaneously contributing to the institutionalization of past decades of discrimination.

Because of the absence of conclusive data on women's participation on law reviews, further study is of course necessary to validate this tentative find-

<sup>25</sup> Janet P. Kane in 1952 and Harriet Shapiro in 1955.

<sup>26</sup> Susan R. Estrich in 1976.

<sup>27</sup> Miriam Lashley in 1943.

<sup>28</sup> Esther B. Phillips in 1916.

<sup>29</sup> Association of American Law Schools, *Directory of Law Teachers*, 1977.

<sup>30</sup> William K. Jones, George Christie, Howard Lesnick, John D. Hawke, Jr., Kent Greenawalt, and Richard Merrill of Columbia's Editors; Louis Pollak, Donald Turner, Jerome Cohen, Robert Hudec, Alan Dershowitz, Lee A. Albert, Peter Strauss, Peter Zimroth of Yale's Editors; and Albert M. Sacks, James Vorenberg, Andrew Kaufman, Paul Bator, Geoffrey M. Kalms, Richard Posner, Lance Liebman, Lewis Sargentich, and David Engel of Harvard's Editors.

ing of women's decreased participation on the editorial boards of law reviews. However, this does imply that by seeking candidates who have several qualifications including law review experience, clerkship and graduation from a top law school, hiring committees may not be taking into account the realities of women's situation. Furthermore, it suggests that because of the dual factors of women's decreased mobility and the past decades of discrimination, law school hiring committees must broaden their search to include women students at a greater number of law schools and should utilize other criteria of excellence in evaluating their women candidates.

### 3. The Informal Referral Network

Another obstacle women law students encounter in terms of being considered for faculty positions concerns the method of hiring new faculty known colloquially as "the Old Boy System." In this method prospective candidates are recruited by way of informal referrals. That is, a dean or a professor at one law school will telephone a colleague or former law school classmate at other law schools and ask for promising students.

Several problems for women students are inherent in this method of recruitment. First, this informal network is composed predominantly of male faculty. By way of description of this network, a male faculty member of one law school's hiring committee noted:

In most cases, what counts is the candidate's reputation among a group of law professors, of whom I would say there are roughly two dozen, all of whom are white and all but one of whom is a man . . . If you have a candidate not enthusiastically recommended by people in that group it's uphill sledding to get them [sic] hired.<sup>31</sup>

These professors may be more likely to recommend male law students for several reasons. Male professors may often be influenced by their stereotypes of the legal scholar and teacher as an upper-class white male similar to themselves.<sup>32</sup> Thus, women students may not come to mind as frequently. Also, some male professors may have lowered expectations of women students' performance so that they would not be likely to recommend women. Illustrative of this is one woman professor's lament that as a student, she had felt that women had to perform better than male students to obtain the professors' acclaim. Another woman professor told the story of her first-year professor who stopped her upon her return to school the second year. He asked how she had done in school. When she replied that she was second, he remarked, "Amazing! How did you manage to do that?"—his tone revealing his astonishment that a woman could have done so well.

Still another reason women students may not come to male professors' attention in order to be recommended for teaching positions is the phenomenon of women's lower visibility in the classroom. One woman professor described this phenomenon by saying:

I'm not sure why it is that women tend to talk less in class than male students. Perhaps they are more afraid that the professor will come

<sup>31</sup> Cited in Tom Pecoraro, Boalt's Minority Recruitment Effort Lagging, *The Daily Californian*, February 28, 1978, pg. 3, col. 1-5.

<sup>32</sup> One woman law student described this process somewhat cynically by saying, "The process is a lot like cloning. They look for exact replicas of themselves." Cited in Pecoraro, *id.*

down hard on them. But also, I think it's because women aren't as full of themselves as men students tend to be. They're not constantly tooting their own horn or trying to elbow others out in order to shine.

Psychological and sociological literature support the finding that women attempt to limit their social visibility when in male-dominated groups, as a perceptual response to being in the minority in a given situation.<sup>33</sup> However, the problem of their decreased visibility in the classroom then presents women students with a "double bind." As one professor explained it:

A woman is in a very peculiar situation. If she is outspoken and stands out, she's typed as an 'old style' woman lawyer—obnoxious and aggressive. If she's quiet in a classroom, her professors will say [when asked to recommend her] 'she didn't impress me very much.'

This informal network is also one of the primary means utilized in the recruitment of law clerks. Since many judges select their clerks solely or primarily on the basis of faculty recommendations, this informal system may also serve to decrease other opportunities for women which are additional prerequisites for law school teaching careers.

#### 4. Subtle Criteria in the Hiring Process

Another obstacle women encounter in the hiring process is that certain considerations often come into play that would not be relevant for male candidates. As one woman professor explained, invariably the question comes up when recruiting women: "What type of commitment does this woman have to law?" Specifically, some people may ask why a particular woman is interested in teaching if her husband is making plenty of money. "Also, faculty are concerned with issues such as, if the woman is young and married, will she get pregnant and leave, or what her husband does, to determine if she's likely to move," said one woman faculty member.

Such subtle attitudes on the part of law school hiring committees are also revealed in another qualification which women may have to meet. They should be likeable, non-aggressive, and, as one woman professor added, "It helps their application if they are attractive." As this professor explained:

The type of woman they like at my school is one not too aggressive personally, not too threatening in a social way. I hate to say it, but it helps if you flirt and you're pretty . . . The number one comment here when male faculty review the files is 'what does she look like?'

This professor also told the story of a woman under consideration recently at her institution. The candidate was number one in her class and an editor of her alma mater's law review. However, after she came to the law school to be interviewed, several male faculty members vetoed her application and were overheard making such disparaging remarks as, "I can't work with anyone that ugly."

<sup>33</sup> This perceptual response was noted in women as early as 1948 by Barker. Barker, *The Social Psychology of Physical Disability*, 4 *Journal of Social Issues* 22, 34 (1948). Since that time with the movement of women into the professions, literature on this phenomenon has proliferated. See, for example, Epstein, *supra* note 18, at 64; Kanter, *supra* note 17, at 13; Megaree, *The Influence of Sex Roles on the Manifestation of Leadership*, 53 *J. of Applied Psyc.* 377 (1969), Cussler, *The Woman Executive* 1958.

Another woman law professor cynically described some of the problems women face in the hiring process as "cop out devices" on the part of many law schools. One such device, she noted, is to hire women in visible positions—such as deans of admission or financial aid. Another device is to hire women in "low totem pole" positions, such as legal research and writing teachers or as clinical associates.<sup>34</sup> Another method is to bring women into the law school through adjunct status, giving them "few obligations, no rights and no pay." This woman continued, "These are nowhere jobs which are one way of saying, 'of course we hire women here.'"

Being hired at one of the nation's most prestigious institutions raises additional problems. Many such schools limit their serious consideration to women students at a few prestigious institutions in the country. This automatically excludes from consideration women who did not attend these schools, regardless of their qualifications.

Another obstacle in being hired at the elite institutions is what is termed here "the myth of the perfect candidate." That is, many such institutions seek women with impeccable qualifications. Such criteria include: editor of the law review, clerkship, attendance at one of the prestigious institutions and graduation at the top of the class. The first problem inherent in using such criteria is that such women are naturally in scarce supply. The previously mentioned factors of past discrimination and women's decreased mobility serve to limit further the available women who meet these criteria. Moreover, if such women do exist, hiring committees must face the fact that these candidates are being passionately recruited by many other law schools and also by scores of prestigious law firms and governmental agencies and organizations. Hence, the chances of acquiring these women in teaching are very small. Although recruiting such women will result in these schools' meeting their affirmative action obligations, it may not in fact result in the actual hiring of women for teaching positions.

The myth of the perfect candidate is also apparent in another hiring practice of some law schools. Many schools maintain a list of highly promising candidates, referred to colloquially as "the hot prospect list." This list contains the names of men and women presently employed in large prestigious law firms and in government. Faculty members on hiring committees may annually update this list and contact individuals to ask if they desire to go into teaching. Although some of these individuals receive annual offers of employment from many law schools, the fact that many will not accept the offers is a foregone conclusion. Often women on this list have previously refused offers from the same institutions, after telling hiring committee members that they are not interested in teaching. Regrettably, by pursuing the unobtainable—"the perfect candidate"—attention is detracted from increas-

<sup>34</sup> An example of this can be seen in HEW's recent investigation of hiring policies at the University of Chicago Law School. HEW found that, although in the last five years the school has failed to hire women and minorities as junior and senior faculty, the school has actively employed women in its Mandel Legal Aid Clinic and Woodlawn Legal Aid Clinic and as Bigelow Teaching Fellows (as instructors in the legal writing program). Robert Enstad, U. of C. Law Faculty Needs Minorities, Chicago Tribune, January 18, 1978.

ing the number of qualified women candidates who might accept such teaching positions.<sup>35</sup>

Another characteristic of the hiring practices of some law schools is a "wait and see" policy. That is, hiring committees may adopt the tactic of holding borderline candidates in abeyance to see what significant publications these individuals produce in the coming years. Such an approach, which perhaps may be successful with male candidates, is generally counterproductive where women are concerned. With the passage of time, women candidates are far more likely to marry, have families and have husbands who are climbing the career ladder in a particular geographical area. Thus, the women will become more reluctant to leave their present geographical location to accept teaching positions unless such positions are offered to them early in their careers.

Perhaps the largest problem women face in being hired at law schools in general, as one woman professor stated, "is that law schools fail to see this as a problem." That is, many faculty members fail to understand the need to have women in law school teaching, especially since men seem to have done an adequate job until now.<sup>36</sup> In addition, many faculty members may fail to realize that their attitudes and hiring practices may be inherently discriminatory and may be presenting women with insurmountable obstacles to overcome in terms of pursuing law school teaching careers.

### Conclusion

Since the early days of women in American legal education, women lawyers have been represented in the teaching profession. One of the nation's first women lawyers, Catherine Waugh McCullough, was a professor of commercial law.<sup>37</sup> In fact, the history of women in law school teaching goes back much further in history. One of the pioneer women in the field, Bettisia Gozzadini, became a professor of law in the thirteenth century at the greatest university of that time, Bologna University.<sup>38</sup>

However, the future of women on law school faculties does not engender optimism without a determined effort by law schools in the hiring and promotion of women professors. A decade ago a male faculty member of one

<sup>35</sup> It may even be questioned if such a hiring policy of annually contacting people who have previously expressed their lack of interest in teaching constitutes a "good faith effort" to meet affirmative action guidelines.

<sup>36</sup> Such a perceptual response is not surprising. Ferber and Loeb, *supra* note 21, attempted to find a correlation between age, salary, rank and perception of sex discrimination among both men and women faculty. They found that age, salary and rank are uncorrelated with the perception among women; the only predictor of such perception is marital status. However, among men on the other hand, there was a relationship between success and perception of sex discrimination, i. e. the more successful men were not as apt to see such discrimination and tended to view merit as the only important determiner of success. Additional studies they cite support the view that ". . . this evidence suggests that women's perceptions of sex discrimination are more realistic than those of their male peers." Ferber and Loeb, *supra* note 21, at 239.

<sup>37</sup> Weisberg, *Barred from the Bar: Women and Legal Education in the United States 1870-1890*, 28 J. Legal Ed. 485, 499 (1977).

<sup>38</sup> Spilman, *A Woman Lawyer of the Thirteenth Century*, 31 Phi Delta Delta 8 (1953).

prestigious law school wrote, in a statement which still has general validity today:

There are no women on the teaching faculty of which I am a member and everyone who is familiar with the law school world knows that this is the rule, not the exception. Whether or not this absence of female teachers is due to discrimination in the hiring practices of law schools (and it is possible that it is), it may reinforce the propriety of discrimination in student and alumni minds. Surely, the law schools could do more than they have done to erase this impression by finding and hiring able women lawyers as teachers.<sup>39</sup>

An author of a recent article in the *ABA Journal* entitled "Developing a Representative Legal Profession," maintained that it is imperative for the legal profession to become serious about its affirmative action responsibilities.<sup>40</sup> The need for more women law professors is not only in the interests of developing a law faculty more representative of the population and of the legal profession. It also stems from a need to provide the ever-increasing numbers of women law students with role models. Women students could then see that opportunities do in fact exist for women in the legal profession. Also, women faculty are needed who can advise women students on their career choices and on problems the students encounter in the profession. Since recent research on the professional woman<sup>41</sup> suggests special problems are encountered by women because of their numerical proportion in male-dominated fields, women faculty are needed who can identify with these problems as this continues to be the reality which women students face both in the classroom and in the legal profession. In order to combat the discrimination faced by women in the legal profession, the nation's law schools must take an important step in this direction by providing increased opportunities for women in the teaching profession.

## APPENDIX 1

### LAW SCHOOL SURVEY SAMPLE \*

Albany Law School	Chicago-Kent College of Law
American University	Cleveland-Marshall College of Law <sup>1</sup>
Antioch School of Law	College of William and Mary <sup>1</sup>
Arizona State University	Columbia University
Baylor University	Cornell University
Boston College	Creighton University
Boston University <sup>1</sup>	DePaul University
Brigham Young University	Detroit College of Law <sup>1</sup>
Brooklyn Law School	Dickinson School of Law
Capital University	Drake University
Case Western Reserve	Duke University
Catholic University of America	Duquesne University
Catholic University of Puerto Rico <sup>1</sup>	Emory University
Chase College of Law <sup>1</sup>	Florida State University <sup>1</sup>

<sup>39</sup> White, *supra* note 4, at 1112.

<sup>40</sup> Knauss, *Developing a Representative Legal Profession*, 62 A.B.A.J. 591 (1976).

<sup>41</sup> See note 33 *supra*.

\* The sample consisted of 153 of the 164 ABA-accredited law schools. Data from these schools was derived both from catalogues and questionnaires.

<sup>1</sup> Law schools which responded to the questionnaire.

Fordham University <sup>1</sup>	University of Arkansas (Fayetteville)
Franklin Pierce Law Center	University of Arkansas (Little Rock)
George Washington University	University of Baltimore
Georgetown University	University of California, Berkeley
Golden Gate University	(Boalt)
Gonzaga University	University of California, Davis
Hamline University <sup>1</sup>	University of California, Los Angeles
Harvard University	(UCLA) <sup>1</sup>
Hastings College of Law	University of Chicago
Hofstra University	University of Cincinnati
Howard University <sup>1</sup>	University of Colorado <sup>1</sup>
Indiana University (Bloomington)	University of Connecticut
Indiana University (Indianapolis) <sup>1</sup>	University of Denver
John Marshall Law School	University of Detroit
Lewis and Clark College	University of Florida <sup>1</sup>
Louisiana State University <sup>1</sup>	University of Georgia
Loyola University (Chicago) <sup>1</sup>	University of Hawaii <sup>1</sup>
Loyola University (Los Angeles) <sup>1</sup>	University of Houston
Loyola University (New Orleans) <sup>1</sup>	University of Idaho
Marquette University	University of Illinois
McGeorge School of Law	University of Iowa
Memphis State University	University of Kansas
Mercer University	University of Kentucky
New England School of Law	University of Louisville
New York University	University of Maine
North Carolina Central University	University of Maryland
Northeastern University	University of Miami
Northwestern University <sup>1</sup>	University of Michigan
Nova University <sup>1</sup>	University of Minnesota <sup>1</sup>
Ohio Northern University <sup>1</sup>	University of Mississippi <sup>1</sup>
Ohio State University	University of Missouri (Columbia)
Oklahoma City University	University of Missouri (Kansas City)
Pepperdine University	University of Montana <sup>1</sup>
Rutgers University (Camden)	University of Nebraska
Rutgers University (Newark)	University of New Mexico <sup>1</sup>
St. John's University	University of North Carolina
St. Louis University	University of North Dakota
St. Mary's University <sup>1</sup>	University of Oklahoma
Samford University/Cumberland School of Law	University of Oregon
Seton Hall University	University of Pennsylvania
South Texas College of Law	University of Pittsburgh
Southern Illinois University <sup>1</sup>	University of Puerto Rico <sup>1</sup>
Southern Methodist University <sup>1</sup>	University of Puget Sound
Southern University	University of Richmond
Southwestern University	University of San Diego <sup>1</sup>
Stanford University	University of San Francisco
State University of New York (Buffalo) <sup>1</sup>	University of Santa Clara
Suffolk University	University of South Carolina
Syracuse University	University of South Dakota
Temple University	University of Southern California <sup>1</sup>
Texas Southern University <sup>1</sup>	University of Tennessee <sup>1</sup>
Texas Tech University	University of Texas <sup>1</sup>
Tulane University	University of Toledo
U.S. International University (Cal. Western)	University of Tulsa
University of Akron	University of Wisconsin
University of Alabama	University of Wyoming
University of Arizona	Valparaiso University <sup>1</sup>
	Vanderbilt University
	Vermont Law School <sup>1</sup>
	Villanova University

<sup>1</sup> Law schools which responded to the questionnaire.

Wake Forest University  
 Washburn University  
 Washington and Lee University  
 Washington University  
 Wayne State University

West Virginia University<sup>1</sup>  
 Western New England College  
 Willamette University  
 William Mitchell College of Law  
 Yale University

<sup>1</sup> Law schools which responded to the questionnaire.

#### Schools Not Included in the Sample

Delaware Law School of Widener College	Stetson University
Inter-American University of Puerto Rico	Thomas M. Cooley Law School
Judge Advocate General's School	University of Dayton
New York Law School	University of Virginia
	University of Washington

## APPENDIX 2

### LAW SCHOOL TEACHING SURVEY \*

Name of law school \_\_\_\_\_

Person supplying data \_\_\_\_\_ Date \_\_\_\_\_

1. How many full-time faculty are on your law school? \_\_\_\_  
 How many of these were men? \_\_\_\_ How many were women? \_\_\_\_
2. How do these faculty members fit in the following categories?  

Full professors (total)	____	Total men	____	Total women	____
Associate professors	____	Total men	____	Total women	____
Assistant professors	____	Total men	____	Total women	____
Lecturers	____	Total men	____	Total women	____
3. Do you have part-time faculty on your law school? \_\_\_\_  
 How many? (total) \_\_\_\_ How many men? \_\_\_\_ How many women? \_\_\_\_
4. How do part-time faculty fit in the following categories?  

Full professors total	____	Total men	____	Total women	____
Associate professors	____	Total men	____	Total women	____
Assistant professors	____	Total men	____	Total women	____
Lecturers	____	Total men	____	Total women	____
5. Regarding administrative personnel, how many deans, associate deans and/or assistant deans are on your law school?  

Deans total	____	Total men	____	Total women	____
Associate deans	____	Total men	____	Total women	____
Assistant deans	____	Total men	____	Total women	____
6. Do you have emeriti and/or visiting professors?  

Emeriti total	____	Total men	____	Total women	____
Visiting professors total	____	Total men	____	Total women	____

Did you include visiting professors in your full-time total (in question #1)? \_\_\_\_
7. Concerning other personnel connected to your law school, is your law librarian a man or woman? \_\_\_\_ Is your director of admissions man or woman? \_\_\_\_
8. Do you anticipate changes in your faculty (full-time or part-time) in the coming academic year in terms of the totals given above? \_\_\_\_

\* Questionnaire sent to 56 law schools with responses from 39. Questionnaires were sent both to schools which did not furnish catalogue data and to schools selected randomly to serve as a validity check on the catalogue data.



## APPENDIX 3

FACULTIES WITH HIGH PERCENTAGES OF WOMEN  
FULL-TIME PROFESSORS \*

<u>Law School</u>	<u>Full-time Faculty</u>	<u>Number of Women</u>	<u>Percent of Women</u>
Antioch	19	5	26.3%
Capital	17	3	17.6%
Cleveland-Marshall	33	6	18.2%
McGeorge	25	4	16%
Mercer	11	2	18.2%
N.Y.U.	58	9	15.5%
North Carolina Central	9	4	44.4%
Northeastern	11	2	18.2%
Nova	11	2	18.2%
Rutgers-Camden	25	4	16%
Rutgers-Newark	33	5	15.2%
Southern Illinois	12	2	16.7%
Suffolk	30	5	16.7%
U.C. Davis	16	4	25%
University of Hawaii	6	1	16.7%

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\* Data based on ABA Review of Legal Education statistics for the 1975-76 academic year.

## APPENDIX 4

## WOMEN PROFESSORS ON SOME OF THE LARGEST LAW FACULTIES \*

<u>Law School</u>	<u>Full-time Faculty</u>	<u>Number of Women</u>	<u>Percent of Women</u>
Boston University	34	2	5.9%
Columbia	39	2	5.1%
Georgetown	43	3	7%
Harvard	58	3	5.2%
Hastings	41	1	2.4%
Stanford	31	1	3.2%
Berkeley	40	2	5%
University of Florida	45	3	6.7%
University of Michigan	41	0	0%
University of Texas	43	3	7%
University of Virginia	39	2	5.1%
Yale University	<u>34</u>	<u>2</u>	<u>5.9%</u>
TOTAL	488	24	4.8%
			(Average)

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\* Data based on ABA Review of Legal Education statistics for the 1975-76 academic year.